



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

		<p><b>THELDA MAE DODD</b> is Trustee of the Special Needs Trust created for the benefit of Junelda Dodd.</p> <p>The Fourth Account was settled on 10-4-12 and the Court set this status hearing for the filing of the Fifth Account.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Fifth and Final Account was filed 10-7-14 and has been set for hearing on 11-18-14.</p> <p>However, because this status hearing and the corresponding Order to Show Cause (Page B) were continued by the Court, this matter has not been taken off calendar by the Examiner.</p>
<p><b>Cont'd from 090514, 092314</b></p>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 10-16-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1A - Dodd</b></p>

**Order to Show Cause**

		<p><b>THELDA MAE DODD</b> is Trustee of the Special Needs Trust created for the benefit of Junelda Dodd.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
		<p>The Fourth Account was settled on 10-4-12 and the Court set a status hearing for the filing of the Fifth Account.</p>	<p><u><b>Continued from 9-23-14</b></u></p>
<b>Cont. from 092314</b>		<p>There were no appearances at the status hearing on 9-5-14 and the Court set this Order to Show Cause with Sanctions of \$100.00 for Mr. Kharazi.</p>	<p><b>Note: Fifth and Final Account was filed 10-7-14 and has been set for hearing on 11-18-14.</b></p>
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>		<p>Copies of the Order to Show Cause minute order were mailed to Mr. Kharazi on 9-5-14.</p>	
<b>Inventory</b>			
<b>PTC</b>		<p>On 9-23-14, Naser Nekumanesh (unknown relationship) appeared and the matter was continued to 10-21-14.</p>	
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by:</b> skc</p>	
		<p><b>Reviewed on:</b> 9-17-14</p>	
		<p><b>Updates:</b></p>	
		<p><b>Recommendation:</b></p>	
		<p><b>File 1B - Dodd</b></p>	

## (1) Third Account Current and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 62 DOB: 01/08/52	<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: <b>07/01/12 – 06/30/14</b>	
	Accounting - <b>\$113,625.55</b>	
Cont. from	Beginning POH - <b>\$19,043.42</b>	
Aff.Sub.Wit.	Ending POH - <b>\$90,973.76</b>	
✓ Verified	Conservator - <b>\$966.72</b> (6 staff hours @ \$76/hr. and 5.32 deputy hours @ \$96/hr.)	
Inventory	Attorney - <b>\$1,250.00</b> (less than allowed per Local Rule)	
PTC	Bond Fee - <b>\$686.66</b> (ok)	
Not.Cred.	<b>Petitioner prays for an Order:</b>	
✓ Notice of Hrg	1. Approving, allowing and settling the third account;	
✓ Aff.Mail w/	2. Authorizing the conservator and attorney fees and commissions; and	
Aff.Pub.	3. Authorizing payment of the bond fee.	
Sp.Ntc.	<b>Court Investigator Samantha Henson filed a report on 08/04/14.</b> The report states that the conservatorship appears to continue to be warranted and in the conservatee's best interest.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
✓ 2620(c)		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Reviewed by: JF
Reviewed on: 10/16/14
Updates:
Recommendation:
File 2 – Bethel

**(1) Third and Final Account and Report of Administrator; (2) Petition for Allowance of Compensation to Conservator and Attorney (3) and Distribution**

<b>DOD: 07/14/14</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>11/22/13 – 07/14/14</b>	
<b>Cont. from</b>		Accounting - <b>\$123,407.89</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$96,738.73</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$96,357.13</b>	
<input type="checkbox"/>	<b>Inventory</b>	(\$1,357.13 is cash)	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Subsequent account period: <b>07/15/14 – 08/06/14</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Accounting - <b>\$100,776.09</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/	Beginning POH - <b>\$96,357.13</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Ending POH - <b>\$100,776.09</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	(\$5,776.09 is cash)	
<input type="checkbox"/>	<b>Pers.Serv.</b>	Conservator - <b>\$871.12</b> (5.5 staff hours @ \$76/hr. and 4.72 deputy hours @ \$96/hr.)	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>	Attorney - <b>\$937.53</b> (Ok per Local Rule)	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	Bond Fee - <b>\$25.00</b> (ok)	
<input type="checkbox"/>	<b>CI Report</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>2620(c)</b> n/a	1. Approving, allowing and settling the third and final account;	
<input checked="" type="checkbox"/>	<b>Order</b>	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/>	<b>Aff. Posting</b>	3. Authorizing payment of the bond fee; and	
<input type="checkbox"/>	<b>Status Rpt</b>	4. Authorizing petitioner to distribute the balance of property on hand to the Fresno County Public Administrator as Administrator of the Estate.	
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 10/16/14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 3 – Nygaard</b>

## (1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution

<b>DOD: 11/21/11</b>	<b>PUBLIC ADMINISTRATOR</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: <b>04/20/12 – 04/24/14</b>	
<b>Cont. from</b>	Accounting - <b>\$441,053.88</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$438,006.03</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$18,641.47</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>	Administrator - <b>\$1,920.00</b> (less than statutory)	
<input checked="" type="checkbox"/> <b>PTC</b>	Administrator x/o - <b>\$248.00</b> (for filing tax returns)	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Attorney - <b>\$1,000.00</b> (less than statutory)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Bond Fee - <b>\$141.62</b> (ok)	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	Costs - <b>\$906.50</b> (filing fees, certified copies)	
<b>Aff.Pub.</b>	Preliminary Distributions to law firm of Wright & Johnson (pursuant to Court Order dated 08/27/12):	
<b>Sp.Ntc.</b>	09/12/12 - \$206,261.65	
<b>Pers.Serv.</b>	11/08/12 - \$52,680.37	
<b>Conf. Screen</b>	11/08/12 - \$52,680.37	
<b>Letters</b> 04/20/12	11/29/12 - \$74,006.42	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>	<b>Distribution, pursuant to Decedent's will, is to:</b>	
<b>Status Rpt</b>	Scott Keller - \$7,212.67	
<b>UCCJEA</b>	Zachary Keller - \$3,606.34	
<b>Citation</b>	Westley Keller - \$3,606.34	
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
	<b>Reviewed by:</b> JF	
	<b>Reviewed on:</b> 10/16/14	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 4 – Keller</b>	

<b>DOD: 02/24/2012</b>		<p><b>KENNETH ROBERTS</b>, was appointed Administrator with full IAEA and with bond set at <b>\$20,000.00</b> on 10/18/2012.</p> <p><b>Proof of Bond</b> was filed 2/22/2013 showing bond posted in the sum of <b>\$20,000.00</b>.</p> <p><b>Letters issued on 03/14/2013.</b></p> <p><b>Final Inventory and Appraisal</b> filed on 10/15/2013 shows an estate valued at <b>\$129,764.97</b>.</p> <p><b>Minute Order of 10/18/2012</b> set this matter for hearing on 12/20/2013 for status of filing for final distribution.</p> <p><b>Minute Order dated 12/20/2013</b> [Judge Snauffer] states: No appearances. Matter continued to 1/2/2014. The Court orders Larry Donaldson to be personally present on <b>1/2/2014</b>.</p> <p><b>Former Status Conference Statement filed 03/04/2014 by Attorney Larry A. Donaldson states</b> that the accounting for the estate has been partially prepared but is not completed yet. The Administrator and heirs have not yet decided whether to sale or transfer the real property in the estate. The house is the only asset left in the estate. The Administrator of the estate, Ken Roberts, has lent the estate more than \$9,000. Ken Roberts is serving as Administrator without compensation and waives all fees that would normally be paid to him. Attorney Donaldson also waives all fees that would normally be paid for his services. There are no other assets other than the real property to pay back to the money loaned to the estate. Attorney Donaldson will be out of the county from 03/04/2014 through 03/12/2014 and unavailable to complete the paperwork to finish the accounting. Attorney Donaldson anticipates that the accounting will be completed and the estate in a condition to close by April 30, 2014.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 09/02/2014.</b></p> <p><b>Minute Order of 07/16/2014: counsel requests a continuance.</b></p> <p><b>Minute Order of 06/04/2014 continued to 07/16/2014.</b></p> <p><b>Minute Order of 04/30/2014: Counsel advises the Court that he now has all the paperwork needed to file the required documents.</b></p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 122013, 010214, 031314, 043014, 060414, 071614, 090214</p>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input checked="" type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: LV</b></p> <p><b>Reviewed on: 10/16/2014</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5 – Roberts</b></p>	

## (1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

<b>Age: 87 years</b>	<b>PUBLIC GUARDIAN</b> , Conservator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 6/13/13 – 6/12/14	1. Attorney fees total \$3,750.00 and not \$4,000.00 as requested. (Local Rule \$2,500 for the filing of the petition and first account and \$1,250 for the court confirmed sale of real property).
<b>Cont. from</b>	Accounting - <b>\$177,585.73</b>	
<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$135,000.00</b>	<b>Note:</b> If the petition is granted, status hearings will be set as follows:
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$119,465.72</b>	
<b>Inventory</b>	Conservator - <b>\$7,928.92</b>	<ul style="list-style-type: none"> <li><b>Wednesday, August 10, 2016</b> at 9:00 a.m. in Department 303, for the filing of the second account.</li> </ul>
<b>PTC</b>	(67.29 Deputy hours @ \$96/hr and 19.33 Staff hours @ \$76/hr)	
<b>Not.Cred.</b>	Attorney - <b>\$4,000.00</b>	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	(per Local Rule – see note #1)	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Bond fee - <b>\$378.04</b>	<b>Reviewed by: KT</b> <b>Reviewed on: 10/16/14</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 6 – Valencia</b>
<b>Aff.Pub.</b>	(o.k.)	
<b>Sp.Ntc.</b>	Court fees - <b>\$643.00</b>	
<b>Pers.Serv.</b>	(filing fee, certified copies)	
<b>Conf. Screen</b>	<b>Petitioner prays for an Order:</b>	
<b>Letters</b>	1. Approving, allowing and settling the first account;	
<b>Duties/Supp</b>	2. Authorizing the conservator and attorney fees and commissions;	
<b>Objections</b>	3. Payment of the bond fee;	
<b>Video Receipt</b>	4. Payment of court fees.	
<b>CI Report</b>		
<b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		



## (1) First and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and his Attorney; (3) and Distribution

<b>DOD: 5-15-14</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 10-9-13 through 5-15-14	
		Accounting: \$115,581.70	
		Beginning POH: \$ 3,495.00	
		Ending POH: \$ 82,823.72	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>	Account period: 5-16-14 through 7-11-14	
	<b>Inventory</b>	Accounting: \$82,827.23	
	<b>PTC</b>	Beginning POH: \$82,823.72	
	<b>Not.Cred.</b>	Ending POH: \$77,547.23 (cash)	
✓	<b>Notice of Hrg</b>	Conservator: \$1,687.44 (for 11.64 Deputy hours @ \$96/hr plus 7.50 Staff hours @ \$76/hr, per declaration, including estimated time for management of finances, preparation of income tax returns, preparing statement of services, and making final distribution, pursuant to attached declaration)	
✓	<b>Aff.Mail</b>	Attorney: \$2,000.00 (less than allowed under Local Rule 7.16.B.1, since the Public Guardian did not have to file the paperwork to establish the conservatorship.)	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>	Bond fee: \$145.44	
N/A	<b>CI Report</b>	Costs: \$539.00 (\$104.00 for certified Letters plus \$435.00 filing fee for this petition)	
N/A	<b>2620(c)</b>		
✓	<b>Order</b>	Petitioner states the Conservatee died testate on 5-15-14. Her will was deposited by the Public Guardian on 8-14-14 (Exhibit E) and heirs are listed in the petition. However, the Conservatee received Medi-Cal benefits before she died and Notice of the Conservatee's death was sent to Medi-Cal on 5-16-14. They sent a claim for \$191,000.00.	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>	After payment of the allowed commissions, fees and costs totaling \$4,371.88, Petitioner requests distribution of the remaining estate of \$73,175.35 to Medi-Cal.	
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 10-16-14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 7 – Lyster</b>

**8A The Smothers Family Living Trust 02-11-91 (Trust) Case No. 14CEPR00498**

Atty Roberts, Gregory J., of Barrus and Roberts (for Petitioner Floyd Wyatt, Jr., Successor Trustee)  
Atty Brawley, Mason L.; of Murphy & Brawley, Merced (for Objector Dianne S. Collins, Successor Trustee)

**Petition for Order Confirming Successor Trustees and Trust Assets Belonging to the Marital Trust**

<b>Garnold DOD:</b> 6/3/1991		<b>FLOYD WYATT, JR.</b> , son and Trustee of the <b>MARITAL TRUST</b> , [sub-trust of] the <b>SMOTHERS FAMILY LIVING TRUST</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Page 8B</u> is the Status Hearing Re Settlement Agreement.  <u>Continued from 8/25/2014.</u>
<b>Velma DOD:</b> 11/27/2013			
<b>Cont. from 072314 082514</b>		<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>Petitioner became Trustee of the <b>MARITAL TRUST</b> pursuant to the deaths of the Settlor and Trustees of the <b>SMOTHERS FAMILY LIVING TRUST</b> established on 2/11/1991, <b>GARNOLD GARTH SMOTHERS</b> and <b>VELMA L. SMOTHERS</b> (Surviving Spouse); (copies of death certificates attached as Exhibit A; copy of Trust attached as Exhibit B1);</li> <li>On 2/11/1991, Settlor executed a Community Property Agreement relative to ownership of their assets (copy attached as Exhibit B2);</li> <li>Upon the death of the Deceased Spouse, the Trust was to be divided into sub-trusts: <b>EXEMPTION TRUST</b> and <b>MARITAL TRUST</b>; per Trust terms, the <b>MARITAL TRUST</b> is revocable by the Surviving Spouse [Velma];</li> <li>The Surviving Spouse amended the <b>MARITAL TRUST</b> by a First Amendment executed on 7/7/1997, a Second Amendment on 4/24/2001, a Fourth Amendment on 3/5/2009, and a Final Amendment on 2/11/1991 (copies of all amendments attached as Exhibits B3 to B6);</li> <li>Petitioner believes the Fourth amendment was incorrectly designated as "Fourth" and that it is the Third Amendment to the <b>MARITAL TRUST</b>; (also the Final Amendment bears the notarized signature of Surviving Spouse only as Trustee and the omission of her signature as Trustor is believed to be clerical error);</li> </ul> <p style="text-align: center;">~Please see additional page~</p>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input checked="" type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
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<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 10/21/14	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 8A - Smothers</b>	

Petitioner states, continued:

- The division of the Trust into the **EXEMPTION TRUST** and **MARITAL TRUST** was done on a pro-rata basis rather than an item-by-item basis;
- The Surviving Spouse executed 3 separate Declarations of Trust Split: first on 6/25/1991, second on 9/23/1996, the last on 8/19/1998; however, although all 3 Declarations refer to Schedule A and B, there is only one Schedule A and Schedule B in existence among the Settlers' estate planning binders (*copies of the 3 Declarations and the only Schedule A and Schedule B attached as Exhibit C*);
- Schedules A and B indicate that the Settlers' residence on Childs Ave in Merced, which was designated in the Trust documents as the Deceased Spouse's separate property, was allocated **10%** to the **MARITAL TRUST** and **90%** to the **EXEMPTION TRUST**; pursuant to Trust terms, there was no physical segregation or division required except as necessary to make distribution as provided in the Trust;
- Surviving Spouse recorded Affidavits as to the residence and Deed of Trust, but never recorded a designation of either asset as belonging to the **MARITAL TRUST** or to the **EXEMPTION TRUST** (*copies of affidavits attached as Exhibit D*);
- Surviving Spouse sold the residence on Childs Ave. in Merced and purchased a new residence on San Gabriel Ave. in Fresno, and then transferred title to the new residence to herself as successor sole Trustee of the **SMOTHERS FAMILY LIVING TRUST** (*copy of transfer deed attached as Exhibit E*);
- Surviving Spouse may have used some of the proceeds from the sale of the Childs residence to purchase the new San Gabriel residence; however, Petitioner has not been able to determine what funds were used to purchase the new residence;
- Surviving Spouse lived 22 years after the death of Deceased Spouse, and was to receive principal distribution for support, education, care, health and maintenance from both the **MARITAL TRUST** and the **EXEMPTION TRUST**, and she also had the right to withdraw the greater of **\$5,000.00** or **5%** of the principal of the **EXEMPTION TRUST** each calendar year;
- Petitioner believes the Surviving Spouse over the period of 22 years withdrew more than **\$110,000.00** from the principal of the **EXEMPTION TRUST** such that at the time of her death, there were no longer any assets in the **EXEMPTION TRUST**;
- Upon the death of the Surviving Spouse, the last named Trustee of the **EXEMPTION TRUST** was **DIANNE S. COLLINS**, step-daughter of Velma (Surviving Spouse);
- On 1/30/2014, **DIANNE COLLINS** executed an Affidavit of Change of Trustee declaring she was the successor Trustee of the **SMOTHERS FAMILY LIVING TRUST**, and on the same day she executed a Grant Deed transferring title to the entire new residence on San Gabriel to the **EXEMPTION TRUST** (*copies attached as Exhibit F*);
- Petitioner believes that he (**FLOYD WYATT, JR.**) is the Successor Trustee of **SMOTHERS FAMILY LIVING TRUST** and that the new residence on San Gabriel was not and is not an asset of the **EXEMPTION TRUST**, and believes that the transfer of the new residence on San Gabriel was inappropriate in that, pursuant to the Division Schedules, the **MARITAL TRUST** owned at least **10%** of the residence and that the new residence on San Gabriel was purchased in part with the proceeds of the sale of the old residence on Childs and with her own funds in Trust A to complete the purchase of the new residence on San Gabriel;
- Petitioner believes that the majority if not all of the new residence on San Gabriel and the Deed of Trust are subject to his control as Trustee of the **MARITAL TRUST**;
- **DIANNE COLLINS** claims that the new residence on San Gabriel is **100%** owned by the **EXEMPTION TRUST** and that she is the Trustee of the **EXEMPTION TRUST**;

~Please see additional page~

## Second Additional Page 8A, Smothers Family Living Trust Case No. 14CEPR00498

### Petitioner states, continued:

- Petitioner has attempted to resolve the differences between the **MARITAL TRUST** and the **EXEMPTION TRUST** and offered to split the proceeds for the sale of the new residence on San Gabriel **50%** to the **MARITAL TRUST** and **50%** to the **EXEMPTION TRUST**, but this offer was rejected by **DIANNE COLLINS**;
- As Petitioner and **DIANNE COLLINS** cannot agree on the division of ownership of the new residence on San Gabriel, Petitioner is asking the Court to determine whether the new residence on San Gabriel is an asset of the **MARITAL TRUST** or the **EXEMPTION TRUST** or both;

### **Petitioner prays for an Order of the Court that:**

1. The **MARITAL TRUST** of the **SMOTHERS FAMILY LIVING TRUST** is valid, and that the **EXEMPTION TRUST** of **SMOTHERS FAMILY LIVING TRUST** had no assets at the date of death of Surviving Spouse Velma L. Smothers on 11/27/2013;
2. **FLOYD WYATT, JR.** is confirmed as the Successor Trustee of the **MARITAL TRUST** of the **SMOTHERS FAMILY LIVING TRUST**; and
3. All of the real property on San Gabriel, and the Deed of Trust, are assets subject to the management and control of **FLOYD WYATT, JR.** as successor Trustee of the **MARITAL TRUST** of the **SMOTHERS FAMILY LIVING TRUST**.

### **Objection to Petition for Order Confirming Successor Trustees and Trust Assets Belonging to the Marital Trust filed by DIANNE S. COLLINS, step-daughter of Velma Smothers, on 7/11/2014 states:**

- **GARNOLD GARTH SMOTHERS** and **VELMA L. SMOTHERS** married late in life, both having children from previous relationships;
- Although Garnold and Velma created their **SMOTHERS FAMILY LIVING TRUST** jointly, the Trust provides that upon the death of either of them, the Decedent's assets shall be allocated to the **EXEMPTION TRUST**, which is distributable to the Decedent's issue upon the death of the surviving spouse;
- This type of trust is common in second marriages where a couple wants the surviving spouse to be able to benefit from the trust assets during their remaining lifetime, but ensure that their assets ultimately pass to their children and issue;
- Garnold died ~4 months after creating the Trust, and the Trust was funded almost entirely with Garnold's separate property and all of those separate property assets, as well as all of his interest in he and Velma's community property, should have been allocated to an **EXEMPTION TRUST** – an irrevocable sub-trust which benefitted Velma for her lifetime, but which passed to Garnold's issue at Velma's death;
- Unfortunately, Velma failed to properly fund the **EXEMPTION TRUST** with Garnold's share of the Trust assets; Velma died on 11/27/2013, and Velma withdrew and spent all of the Trust assets except for a residence she purchased with **EXEMPTION TRUST** funds in 1998;
- Petitioner is now relying on Velmas' failure to fund the **EXEMPTION TRUST** to asset that Garnold's assets are assets of the **MARITAL TRUST**, and thus distributable to Petitioner and Velma's other children;
- This Court should deny Petitioner's requests and confirm that the [new residence on San Gabriel] is an asset of the **EXEMPTION TRUST**;

*~Please see additional page~*

**Objection to Petition for Order Confirming Successor Trustees and Trust Assets filed by DIANNE S. COLLINS on 7/11/2014, continued:**

- The Trust provides that upon Garnold's death, his separate property and all of his interest in Velma and his community property should have been allocated to the **EXEMPTION TRUST** (see *Exhibit B1 to the Petition*);
- As the Surviving Spouse, Velma's separate property and her interest in her community property should have been allocated to the **MARITAL TRUST**;
- The **EXEMPTION TRUST** became irrevocable on Garnold's death, and the **EXEMPTION TRUST** was to be held for the benefit of Velma during her lifetime, but at Velma's death the assets in the **EXEMPTION TRUST** are distributable to Garnold's issue (see *Exhibit B1 to the Petition*);
- On the other hand, the **MARITAL TRUST** continued to be revocable during Velma's lifetime; the Trust provided initially that any assets remaining in the **MARITAL TRUST** at the death of the surviving spouse shall be distributed to Garnold's issue;
- Velma and Garnold expressly disinherited Velma's children (see *Trust at Paragraph 8.14, page 17 of Exhibit B1 to the Petition*); [Note: Velma's children are **FLOYD WYATT, JR., LEONARD EUGENE WYATT, and DARRELL RAY WYATT**];
- However, Velma executed a series of amendments to the **MARITAL TRUST** which later included her children as beneficiaries;
- Respondent believes that following Garnold's death, Velma never provided a Notification of Trustee to Garnold's heirs, which was required pursuant to Probate Code § 16061.7;
- Upon Velma's death, Respondent became Trustee of the **EXEMPTION TRUST** (both other named successor trustees **ROBERT G. SMOTHERS** and **RONALD G. SMOTHERS**, Garnold's sons, are deceased);
- **The Bulk, if not all, of the Trust Assets were Garnold's Separate Property:** The primary Trust assets at the time of Garnold's death were (1) the real property on Childs Ave. in Merced, and (2) a Promissory Note dated 1/2/1985 owed to Garnold by his son and daughter-in-law; the property on Childs Ave. in Merced was Garnold's separate property and he transferred it to his Trust on 2/11/1991 by Quitclaim Deed; Petitioner failed to provide the Court with a copy of the Quitclaim Deed which clearly indicates that the real property on Childs Ave. in Merced was Garnold's separate property when he transferred it to the Trust (copy of Quitclaim Deed attached as *Exhibit A*); the Promissory Note was also Garnold's separate property (copy of Promissory Note and Substitution of Trustee and Full Reconveyance stating the lender was "Garnold Smothers, a married man, as his separate property" attached as *Exhibits B and C*);
- **Velma Failed to Properly Allocate the Trust Assets to the Sub-Trusts upon Garnold's Death:** In accordance with the terms of the Trust, as Garnold's separate property, 100% of the Merced Property and 100% of the Promissory Note should have been allocated to the Exemption Trust; the allocations schedules of sub-trusts submitted by Petitioner are inaccurate.
- **The Funds used to Purchase the Fresno [San Gabriel] Property came from Assets Owned by the EXEMPTION TRUST:** Velma sold the Merced Property for **\$129,500.00**, and failed to attach a copy of the 1998 Grant Deed for the Merced Property to the *Petition*; Velma used the proceeds from the sale to purchase real property on San Gabriel Ave in Fresno for **\$85,000.00**; it is unclear what Velma did with the remaining **\$45,000.00** proceeds from the sale; Velma initially acquired title in her name and subsequently transferred title to the Trust.

*~Please see additional page~*

- **Velma did not Exercise her Right of Withdrawal from the EXEMPTION TRUST:** Velma had a right to withdraw principal (limited to **\$5,000/5%** annually) from the Exemption Trust; Petitioner alleges Velma exercised her withdrawal right, but offers no factual basis or support for that allegation; Respondent alleges that Velma did not exercise the withdrawal power, and because it was not cumulative, it lapsed annually according to the terms of the Trust.

**Respondent/Objector requests that the Court:**

1. Deny Petitioner's request for an order that the property on San Gabriel in Fresno is an asset of the **MARITAL TRUST** under the **SMOTHERS FAMILY LIVING TRUST**;
2. Confirm that the real property on San Gabriel in Fresno is an asset of the **EXEMPTION TRUST** under the **SMOTHERS FAMILY LIVING TRUST** subject to the management and control of **DIANNE S. COLLINS**, Successor Trustee; and
3. Confirm that an property or funds traceable to the Promissory Note be confirmed as an asset of the **EXEMPTION TRUST** under the **SMOTHERS FAMILY LIVING TRUST**, subject to the management and control of **DIANNE S. COLLINS**, Successor Trustee.

Atty      Roberts, Gregory J., of Barrus and Roberts (for Petitioner Floyd Wyatt, Jr., Successor Trustee)  
 Atty      Brawley, Mason L.; of Murphy & Brawley, Merced (for Objector Dianne S. Collins, Successor Trustee)

**Status Hearing Re: Settlement Agreement**

<b>Garnold DOD:</b> 6/3/1991	<p><b>FLOYD WYATT, JR.</b>, son and Trustee of the <b>MARITAL TRUST, [sub-trust of] the SMOTHERS FAMILY LIVING TRUST</b>, filed a <i>Petition for Order Confirming Successor Trustees and Trust Assets Belonging to the Marital Trust</i> on 6/4/2014.</p> <p><b>DIANNE S. COLLINS</b>, step-daughter of Velma Smothers, filed an <i>Objection to Petition for Order Confirming Successor Trustees and Trust Assets Belonging to the Marital Trust</i> on 7/11/2014.</p> <p><b>Minute Order dated 7/23/2014</b> from the hearing on the petition and objection states the Court sets the matter for Settlement Conference on 8/25/2014. Counsel is directed to submit their settlement conference statements along with a courtesy copy for the Court one week before the hearing.</p> <p><b>Minute Order dated 8/25/2014</b> from the Settlement Conference states the parties come to agreement. Mason Brawley will submit order. Matter set on 10/21/2014 for status hearing re: settlement agreement.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need settlement agreement.</p>
<b>Velma DOD:</b> 11/27/2013		
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
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<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 10/17/14 <b>Updates:</b> <b>Recommendation:</b> <b>File</b> 8B – Smothers

**Petition for: Removal of Trustee, Accounting, Surcharge to Trustee for Damage to Estate, Damages for Breach of Fiduciary Duty, Appointment of Successor Trustee**

<b>Helene Chung</b> <b>DOD 10-6-12</b>		<b>ROBERT CHUNG</b> , Beneficiary and named successor trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 9-2-14:</u> Ms. Hanley has been noticed. The Court removes Ms. Hanley as Trustee and Appoints Mr. Chung. At this time the Court is not ruling on the surcharge nor the damages for breach of Fiduciary. Ms. Haley needs to prepare and file the accounting while she was Trustee. The Court orders Ms. Hanley to surrender all property and records. Counsel will submit order. Continued to: 10/21/14 at 09:00a.m. in Dept 303 Petition is granted before Court Trial. Order to be signed ex parte.  <u>Examiner's Note:</u> An order was submitted to the Court on 9-8-14 by Attorney Pimentel; however, because the order referenced this continued hearing date of 10-21-14, it was placed in the filing for this hearing date and was not presented for signature as an Order After Hearing from the 9-2-14 hearing, as intended by the Minute Order.  The submitted order is in the file and may be addressed at this hearing 10-21-14.  <u>Note:</u> On 10-1-14, Respondent Susan Hanley filed a Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee (See Page B).  <u>The following issues remain noted with regard to this petition:</u>  <u>SEE ADDITIONAL PAGES</u>
<b>Cont. from 090214</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<p>The primary asset is a residence on E. Garland Ave., in Fresno.</p> <p>Petitioner states the trust agreement provides that a majority of eligible beneficiaries may transfer the trust situs to a more convenient jurisdiction. Petitioner and Vicki Chung make up the majority of the eligible beneficiaries and have signed a written election to establish the trust venue in Fresno County, making Fresno County the proper venue to hear this action.</p> <p>Petitioner states the trustee has wasted and mismanaged the trust estate by failing to rent the Garland property and collect income from this valuable asset. Her failure to derive income from the property includes not only the period after Helene Chung's death, but also the entire period from creation of the trust in 2006 to the date of Helene Chung's death. Petitioner states the trustee has wrongfully neglected the estate and has long neglected to perform any act as personal representative. She has never filed an accounting, despite having been requested to do so in writing on 4-11-14. The trust estate has never been distributed or closed. The trustee continues to allow the Garland property to sit idle, without earning income, in breach of her fiduciary duties to the trust beneficiaries, including her two siblings, Petitioner and Vicki Chung.</p> <p style="text-align: center;"><b><u>SEE ADDITIONAL PAGES</u></b></p>	
<input checked="" type="checkbox"/>	<b>Verified</b>		
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<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 10-16-14 <b>Updates:</b> <b>Recommendation:</b> <b>File 9 - Chung</b>



**Page 2**

**Petitioner states** pursuant to §16062, Petitioner is entitled to receive an account of the transactions of the trust at least annually, and pursuant to §17200(b)(7), more than 60 days have elapsed since Petitioner presented a written request for an account. Therefore, Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.

Petitioner also requests surcharge for damage to estate and requests damages for breach of fiduciary duty. See petition for details.

**Petitioner prays for relief as follows:**

1. That SUSAN HANLEY be removed as trustee;
2. For an order that SUSAN HANLEY make an accounting and surrender all property and records in her possession belonging to the estate;
3. For an order requiring SUSAN HANLEY to forthwith provide an accounting in compliance with Probate Code §§ 1060 through 1064;
4. For an order and judgment charging SUSAN HANLEY with losses to the estate
5. For interest on such losses at the maximum legal rate;
6. For costs of suit;
7. For reasonable attorney's fees;
8. For compensatory damages to compensate Petitioner and the trust estate for losses sustained as a result of SUSAN HANLEY's breach of her fiduciary duties;
9. For an order appointing Robert Chung as trustee without bond
10. For such other orders as the Court may deem proper.

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**NEEDS/PROBLEMS/COMMENTS (Cont'd):**

1. Petitioner states that Petitioner, the trustee, and Vicki Chung are the beneficiaries and provides addresses, but the petition does not state that they are all of the persons entitled to notice pursuant to §§ 17201 and 17203.) Need verified declaration.

Note: The address provide for the trustee is a PO Box in Pleasanton. The Court may require clarification.

2. The Court may require clarification re Fresno as proper venue. The address provided for the Trustee is a PO Box in Pleasanton, which is Alameda County. However, it is unclear where the trustee resides, or if she was properly served with the Election to Establish Trust Venue in Fresno County or this petition.

**Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee**

			<b>ROBERT CHUNG</b> , Beneficiary and named successor trustee, filed a Petition for: Removal of Trustee, Accounting, Surcharge to Trustee for Damage to Estate, Damages for Breach of Fiduciary Duty, Appointment of Successor Trustee, which was heard on 9-2-14.
			<b>Minute Order 9-2-14 states:</b> Ms. Hanley has been noticed. The Court removes Ms. Hanley as Trustee and Appoints Mr. Chung. At this time the Court is not ruling on the surcharge nor the damages for breach of Fiduciary. Ms. Haley needs to prepare and file the accounting while she was Trustee. The Court orders Ms. Haney to surrender all property and records. Counsel will submit order. Continued to: 10/21/14 at 09:00a.m. in Dept 303. Petition is granted before Court Trial. Order to be signed ex parte.
			<b>SUSAN HANLEY</b> , Respondent and Trustee, filed this Notice of Motion and Motion for Order Setting Aside and Vacating Order Removing Trustee on 10-1-14.
			<b>Ms. Hanley states</b> this motion will be brought under CCP §473(b), and will seek relief on the grounds that the petition was granted as a result of mistake, inadvertence, surprise, or neglect of the moving party's attorney, to which the attorney has attested in an affidavit or declaration under penalty of perjury. See Declaration of Randolph Krbechek in Support of Motion for Order Setting Aside and Vacating Order of Dismissal.
			<b>Mr. Krbechek's Declaration states</b> he was first contacted by Ms. Hanley on Friday 8-22-14 and received the petition on Saturday 8-23-14. This was the week before Labor Day. His paralegal was out of the office the Thursday and Friday before Labor Day. The attorney did not think to check for the next hearing date on the Banner website. Had his paralegal been there, she surely would have attended to that, as she does with all their litigation matters. Due to the attorney's mistake and inadvertence, he failed to calendar the date set for the hearing (9-2-14). He did not properly communicate with his client that the hearing was set for 9-2-14, and did not clearly articulate who would attend the hearing on her behalf. As a result, neither the attorney nor the client appeared at the hearing to contest the petition. His client emailed on Wednesday, 9-3-14 about the hearing, which had already occurred. Mr. Krbechek apologizes to the Court for his oversight. Any blame should fall on him and not his client. As this motion is brought within the six month period set forth in CCP §473(b), it is requested that the order granting the petition be set aside. See Points and Authorities.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

<b>NEEDS/PROBLEMS/COMMENTS:</b>
1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all interested parties: - Robert Chung - Vicki Chung
<b>Note:</b> A defective Notice of Hearing was filed that indicates personal service on attorney Daniel Tekunoff only; however, there is no proof of service as the wrong attachment was used; therefore, this document is defective.
As stated at the bottom of Page 2 of the DE-120, if personal service is used, <u>DE-120P</u> should have been attached, which contains the information required for proof of service. Petitioner used the <u>DE-120PA</u> , which is an attachment only and contains no information or signature by the server.
Further, interested parties require direct notice. Cal. Rules of Court 7.51. Petitioner only served notice on the attorney for the petitioner.
2. Need order.
Reviewed by: skc
Reviewed on: 10-16-14
Updates:
Recommendation:
File 9 - Chung

Petition for Probate of Will and for Letters of Administration with Will Annexed;  
Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 07/13/2014</b>		<b>PUBLIC ADMINISTRATOR</b> , is petitioner and requests appointment as Administrator with Will Annexed without bond.  Letters of Special Administration shall expire on 10/21/2014.  Full IAEA – o.k.  Will dated: 07/26/2006  Residence: Fresno Publication: The Business Journal  <u><b>Estimated value of the Estate:</b></u> Personal property - \$31,000.00 Real property - \$206,000.00 <b>Total - \$237,000.00</b>  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1).  2. Need Proof of Holographic Will. <b>Note:</b> Proof of Holographic Will filed 09/08/2014 states decedent's California driver's license is in the Deputy's possession and it matches the signature on her will. A copy of the driver's license is attached.  <b>Note:</b> Final Inventory and Appraisal filed 10/02/2014 with an estate valued at \$491,736.94 therefore status hearing for the filing of the Inventory and Appraisal was not set.  <u><b>Note: If the petition is granted status hearings will be set as follows:</b></u>  • <b>Tuesday, 10/06/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<b>Cont. from 090214</b>			
✓	<b>Proof of Hol. Instrument</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
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✓	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
✓	<b>Letters</b>		
	<b>Duties/Supp</b> n/a		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV <b>Reviewed on:</b> 10/16/2014 <b>Updates:</b> <b>Recommendation:</b> <b>File 10 - Paregian</b>	

<b>DOD: 10/20/2004</b>		<b>JEANETTE E. WILSON</b> , surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		No other proceedings	1. Need Notice of Hearing (Mandatory Judicial Council Form).  2. Need proof of service on the Notice of Hearing on: <ul style="list-style-type: none"> <li>• Carol Smith</li> <li>• John Wilson</li> </ul>
<b>Cont. from</b>		Will dated: 09/18/1984 devises entire estate to spouse, Jeanette E. Wilson.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Petitioner requests Court confirmation that ½ of the interest of the real property located at 6335 N. 9 <sup>th</sup> st. Fresno, Ca. belongs to the petitioner and that ½ of the interest pass to the petitioner.	<b>Note: Proof of Service filed on 09/10/2014 on pleading form shows service to the above individuals.</b>
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
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<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	x	
<input type="checkbox"/>	<b>Aff.Mail</b>	x	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
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<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
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			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 10/16/2014
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 11 – Wilson</b>

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/13/2014		<b>DENNIS A. TURMON</b> , son/named executor without bond is petitioner.  Petitioner is a resident of Butte, Oregon.  Full IAEA – o.k.  Will dated: 12/20/2007  Residence: Selma Publication: Selma Enterprise  <u>Estimated value of the Estate:</u> Personal property - \$322,000.00 Real property - \$600,000.00 <b>Total - \$922,000.00</b>  Probate Referee: Steven Diebert	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Minute Order of 09/30/2014 (Judge Cardoza): Counsel will be filing a bond.</b>  1. Proposed personal representative is a resident of Oregon. Probate Code 8571 states notwithstanding a waiver of bond, the court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the court.  <b>Note: If the petition is granted status hearings will be set as follows:</b>  • <b>Tuesday, 11/18/2014 at 9:00a.m. in Dept. 303</b> for the filing of the bond <u>and</u>  <b>Tuesday, 02/03/2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Tuesday, 12/01/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from 093014				
<input type="checkbox"/>	Aff.Sub.Wit.			s/p
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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✓	Aff.Mail			w/
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✓	Letters			
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<input type="checkbox"/>	9202			
✓	Order			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: LV				
Reviewed on: 10/16/2014				
Updates:				
Recommendation:				
File 12 - Turmon				

**Petition to Compel Trustee to Account and Declaration of Stefanie J. Krause in Support of Same**

<b>Albert H. Brown</b> <b>DOD: 6-23-11</b>		<b>ANITA PAYNE</b> , Daughter and Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioner lists the names and addresses of the other beneficiaries of the trust, but does not state if this list contains all persons <i>entitled to notice</i> of this petition pursuant to Probate Code §17201. Need declaration to that effect.  2. Petitioner includes "Estate of Dennis Brown, Deceased in 2014, c/o Travis Brown (son)." The Court may require clarification as to whether Travis Brown (or anyone else) has been appointed as the personal representative of Dennis Brown's estate in an official capacity or is entitled to receive notice on the estate's behalf.  <u>Note:</u> If granted, the Court may set a status hearing for the filing of the account by the trustees.
<b>Tinnie Lee Brown</b> <b>DOD: May 2008</b>			
		<b>Petitioner states</b> she is a beneficiary of the Brown Living Trust dated 11-22-91 executed by Albert H. Brown and Tinnie Lee Brown on 11-22-91 and amended in its entirety on 3-23-07. Tinnie Lee Brown died in May 2008. Albert H. Brown died on 6-23-11.	
	<b>Aff.Sub.Wit.</b>	After the death of Albert H. Brown, <b>PAMELA BOLEN and GLEN BROWN</b> became and currently are the trustees of the trust. Both are residents of Fresno County, CA, and the principal place of administration of the trust is Fresno County.	
✓	<b>Verified</b>		
	<b>Inventory</b>	Petitioner states that other than an accounting on 5-29-08 (when Albert H. Brown was trustee), the current trustees have never provided Petitioner with an account of the trust. On 4-9-14, 5-8-14, 6-23-14, 7-1-14, and 7-24-14, Petitioner demanded that the trustee provide Petitioner with an account. See attached exhibits including letters and emails. To date, the trustee has failed to prepare and provide Petitioner with an account for any period after 2008.	
	<b>PTC</b>		
	<b>Not.Cred.</b>	<b>Petitioner requests that:</b>	
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	1. Pamela Bolin and Glen Brown be instructed to prepare and file with this Court an account of the Brown Family Trust since 6-23-11;	
	<b>Aff.Pub.</b>	2. Pamela Bolin and Glen Brown be instructed to petition this Court for the settlement of the account and give notice of the hearing on the petition;	
	<b>Sp.Ntc.</b>	3. The Court order such attorney fees and costs as may be allowable by law;	
	<b>Pers.Serv.</b>	4. The Court order such other and further relief as it may deem proper.	
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

<b>Herbert Markarian</b>		<b>JOAN MARKARIAN</b> is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>DOD: Not provided</b>			
		<p>Petitioner states she and Herbert Markarian were married February 20, 1954 in San Mateo, California; however, there is no official record of the fact, date, and place of their marriage. Herbert Markarian is now deceased. Petitioner requests an order determining that the marriage did in fact occur as stated above.</p> <p>Petitioner's declaration in support states that she and the decedent were married at The Church of Nativity in Menlo Park, California, in a formal wedding ceremony conducted by Rev. Thomas McHune, deceased. Neither of them had been married previously. Their parents and family were present. Attached is a copy of the entry in the church register indicating that they were married in the church on the date indicated. The church failed to file the original marriage certificate with the County of Santa Clara. Also attached are copies of the original wedding invitation, newspaper announcements, photos taken after the wedding, and the marriage certificate issued by the church.</p> <p>Petitioner is required to establish the fact of the marriage in order to qualify for social security benefits to which she is entitled by virtue of her marriage to Herbert Markarian, deceased.</p>	<ol style="list-style-type: none"> <li>Petitioner's documents are not properly tumbled pursuant to Cal. Rules of Court 2.134(b), making review of the file difficult for the Court.</li> <li>Petitioner does not state that a <u>marriage license</u> was ever obtained by the parties to the marriage. Petitioner refers only to church documentation and certificates. Petitioner also does not state whether inquiry has been made with the County of San Mateo or the State of California Office of Vital Records for the official record, if any.</li> <li>Petitioner states Herbert Markarian is deceased, but does not provide a date. Pursuant to Local Rule 7.1.1.D, need date of death of Herbert Markarian.</li> </ol> <p><b>Note:</b> If granted, the Court will detach the original Court Order Delayed Certificate of Marriage from the Order Establishing Fact of Marriage (Page 2 of Form VS 122) and return the Certificate to Petitioner for filing with the appropriate agency(ies), along with a certified copy of the Order.</p>
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
N/A	<b>Notice of Hrg</b>		
	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 10-16-14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 14 - Markarian</b>

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td><b>DOD: 09/28/2011</b></td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td><b>Cont. from</b></td></tr> <tr><td><b>Aff.Sub.Wit.</b></td></tr> <tr><td><b>Verified</b></td></tr> <tr><td><b>Inventory</b></td></tr> <tr><td><b>PTC</b></td></tr> <tr><td><b>Not.Cred.</b></td></tr> <tr><td><b>Notice of Hrg</b></td></tr> <tr><td><b>Aff.Mail</b></td></tr> <tr><td><b>Aff.Pub.</b></td></tr> <tr><td><b>Sp.Ntc.</b></td></tr> <tr><td><b>Pers.Serv.</b></td></tr> <tr><td><b>Conf. Screen</b></td></tr> <tr><td><b>Letters</b></td></tr> <tr><td><b>Duties/Supp</b></td></tr> <tr><td><b>Objections</b></td></tr> <tr><td><b>Video Receipt</b></td></tr> <tr><td><b>CI Report</b></td></tr> <tr><td><b>9202</b></td></tr> <tr><td><b>Order</b></td></tr> <tr><td><b>Aff. Posting</b></td></tr> <tr><td><b>Status Rpt</b></td></tr> <tr><td><b>UCCJEA</b></td></tr> <tr><td><b>Citation</b></td></tr> <tr><td><b>FTB Notice</b></td></tr> </table>	<b>DOD: 09/28/2011</b>					<b>Cont. from</b>	<b>Aff.Sub.Wit.</b>	<b>Verified</b>	<b>Inventory</b>	<b>PTC</b>	<b>Not.Cred.</b>	<b>Notice of Hrg</b>	<b>Aff.Mail</b>	<b>Aff.Pub.</b>	<b>Sp.Ntc.</b>	<b>Pers.Serv.</b>	<b>Conf. Screen</b>	<b>Letters</b>	<b>Duties/Supp</b>	<b>Objections</b>	<b>Video Receipt</b>	<b>CI Report</b>	<b>9202</b>	<b>Order</b>	<b>Aff. Posting</b>	<b>Status Rpt</b>	<b>UCCJEA</b>	<b>Citation</b>	<b>FTB Notice</b>	<p><b>ESTELLA GARZA, RAQUEL G. NANEZ, &amp; ROJELIA GARZA GONZALEZ</b>, daughters, were appointed Executors with limited IAEA authority without bond on 05/27/2014.</p> <p>Letters issued on 10/03/2014.</p> <p>Inventory and Appraisal Partial No. 1 filed 09/05/2014 shows an estate valued at \$250,000.00.</p> <p>Minute Order of 05/27/2014 set this matter for hearing for the filing of the Inventory and Appraisal.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Final Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<b>DOD: 09/28/2011</b>																															
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<b>Recommendation:</b>																															
<b>File 15 – Garza</b>																															



TEMP EXPIRES 10-21-14			NEEDS/PROBLEMS/COMMENTS:
<b>MICHELLE ANGUANMEA</b> , maternal aunt, is Petitioner.			<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>If this petition goes forward:</u>  1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: - Manuel Sainz (Father)  (Note: Although Mr. Sainz was present at the hearing on 9-3-14, it is unclear if he is aware of this date, and he is required to be served pursuant to Probate Code §1511.)  2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: - Paternal Grandmother Teresa Rodriguez - Siblings Jeanay Perez, Mateo Lamb, Jemma Lamb, and Jean Perez, if age 12 or older
Father: <b>MANUEL SAINZ</b> - Present at hearing 9-3-14			
Mother: <b>TIFFANY PEREZ</b> - Notice dispensed per Min. Order 9-3-14			
Paternal grandfather: EDDIE SAINZ, JR. - Mailed service 8-20-14			
Paternal grandmother: TERESA RODRIGUEZ			
Maternal grandfather: JIMMY PEREZ - Mailed service 8-20-14			
Maternal grandmother: CARLOTTA MARQUEZ - Mailed service 8-20-14			
Siblings: JEANAY PEREZ, MATHEO LAMB, JEMMA LAMB, JEAN PEREZ			
<b>Petitioner states</b> that the mother is addicted to drugs and has neglected Adrian to the point that he has an eating disorder, attachment disorder and a few other problems. He is being evaluated by CVRC and the Heritage Building. Adrian is scared to death to go back to his mother and acts out whenever they drive by places he used to live with his mother. He requires a lot of assurance and attention. His mother never enrolled him in school and he was not up to date on his shots. Petitioner states the mother is homeless and hasn't been heard from since 8-1-14. Petitioner has made a missing persons report with the Fresno Police Department.			
<b>Court Investigator Samantha Henson</b> <b>filed a report on 10-16-14.</b>			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: skc  
Reviewed on: 10-16-14  
Updates:  
Recommendation:  
File 17 – Perez

DOD: 06/30/11		<b>RICARDO GARCIA</b> , brother, was appointed as Administrator with Limited IAEA and without bond on 07/21/14. Letters of Administration were issued on 07/24/14.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED FROM 08/22/14</b></u> <b>As of 10/16/14, nothing further has been filed.</b>  1. Need Inventory & Appraisal.
<b>Cont. from 082214</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
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<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		Reviewed by: JF	
		Reviewed on: 08/19/14	
		Updates:	
		Recommendation:	
		File 18 – Blanco	

		<b>JOSEPH PATRICK DE LOS REYES</b> , Son, was appointed Conservator of the Person and Estate on 3-12-14 with bond of \$30,000.00.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Continued from 8-12-14, 9-23-14</u>  <b>Minute Order 8-12-14:</b> The Court directs Mr. Massoni to cure the defects listed in the Examiner Notes.  <b>Minute Order 9-23-14:</b> No appearances. The Court orders Mr. Massoni and Mr. De Los Reyes to personally appear on 10-21-14.  A copy of the above minute order was mailed to the attorney and the conservator on 9-23-14.  1. Need Inventory and Appraisal Probate Code §2610 or verified written status report pursuant to Local Rule 7.5.
Cont'd from 081214, 092314			
Bond was filed and Letters issued on 4-7-14.			
At the hearing on 3-12-14, the Court set this status hearing for the filing of the Inventory and Appraisal.			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
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Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc Reviewed on: 10-16-14 Updates: Recommendation: File 19 – De Los Reyes	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<b>Age: 13</b>		<b><u>TEMPORARY EXPIRES 10/21/2014</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>TIFFANY CARTER</b> , aunt is petitioner.		1. Need Notice of Hearing.	
		Father: <b>EARNIEST DICKERSON</b>		2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
<b>Cont. from</b>		Mother: <b>DEMETRIA DETRA DENISE STICKLAND</b>		<ul style="list-style-type: none"> <li>• Earniest Dickerson (Father)</li> <li>• Demetria Detra Denise Strickland (Mother)</li> <li>• Earniese Dickerson (Minor)</li> </ul>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>				
<input checked="" type="checkbox"/>	<b>Verified</b>				
<input type="checkbox"/>	<b>Inventory</b>	Paternal Grandfather: Not Listed Paternal Grandmother: Not Listed			
<input type="checkbox"/>	<b>PTC</b>				
<input type="checkbox"/>	<b>Not.Cred.</b>	Maternal Grandfather: Not Listed Maternal Grandmother: Not Listed			
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>			
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<input type="checkbox"/>	<b>Status Rpt</b>				
<input checked="" type="checkbox"/>	<b>UCCJEA</b>				
<input type="checkbox"/>	<b>Citation</b>				
<input type="checkbox"/>	<b>FTB Notice</b>				
		<b>Petitioner states:</b> she wants guardianship of her niece so that she can be in a safe environment, around family that loves her and can show her to be confident and loved.		3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
		UCCJEA indicates that the child has been residing with the petitioner since March 2014.		<ul style="list-style-type: none"> <li>• Paternal Grandfather (Not Listed)</li> <li>• Paternal Grandmother (Not Listed)</li> <li>• Maternal Grandfather (Not Listed)</li> <li>• Maternal Grandmother (Not Listed)</li> </ul>	
		<b>Court Investigator Jennifer Daniel's report filed 10/14/2014.</b>			
				<b>Reviewed by:</b> LV	
				<b>Reviewed on:</b> 10/17/2014	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 20 – Dickerson</b>	

**Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

<b>Age: 5 months</b>		<b><u>TEMPORARY EXPIRES 10/21/14</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>JACQUELINE LAMB</b> , non-relative, is Petitioner.		<p>1. The proof of service by mail regarding service to Jimmy Perez, Carlotta Marquez and Monica Anguamea is incomplete. It does not indicate how the notice was mailed, date or place of mailing, or whether a copy of the Petition was also served. Need revised proof of service.</p> <p>2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Father (unknown) – personal service required</p> <p>b. Paternal grandparents (unknown) – service by mail sufficient</p> <p>3. Need DSS Social Worker/CI report – DSS/CI to provide.</p> <p><b>Note:</b> See page 17 for a related petition of this minor's sibling, Adrian Sainz-Perez</p>	
		Father: <b>UNKNOWN</b>			
		Mother: <b>TIFFANY ANN PEREZ – Personally served on 08/28/14</b>			
		Paternal grandparents: UNKNOWN			
		Maternal grandfather: JIMMY PEREZ – Served by mail on ??			
		Maternal grandmother: CARLOTTA MARQUEZ – Served by mail on ??			
		Siblings: JEMMA LAMB, MATEO PEREZ, ADRIAN SAINZ-PEREZ			
		<b>Petitioner alleges</b> that the mother is homeless and addicted to meth. She is unable to care for a baby and her other children have also been removed from her care due to her drug use. The mother is also involved in an abusive relationship and has allowed her son Mateo to be abused by her boyfriend. The mother has not been heard from for a while and a missing persons report has been filed with the Fresno Police Department.			
		<b>DSS Social Worker – Need Report.</b>			
<b>Cont. from</b>					
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>				
<input checked="" type="checkbox"/>	<b>Verified</b>				
<input type="checkbox"/>	<b>Inventory</b>				
<input type="checkbox"/>	<b>PTC</b>				
<input type="checkbox"/>	<b>Not.Cred.</b>				
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>				
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>				
<input type="checkbox"/>	<b>Aff.Pub.</b>				
<input type="checkbox"/>	<b>Sp.Ntc.</b>				
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<input checked="" type="checkbox"/>	<b>Conf. Screen</b>				
<input checked="" type="checkbox"/>	<b>Letters</b>				
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>				
<input type="checkbox"/>	<b>Objections</b>				
<input type="checkbox"/>	<b>Video Receipt</b>				
<input type="checkbox"/>	<b>CI Report</b>	x			
<input type="checkbox"/>	<b>9202</b>				
<input checked="" type="checkbox"/>	<b>Order</b>				
<input type="checkbox"/>	<b>Aff. Posting</b>				
<input type="checkbox"/>	<b>Status Rpt</b>				
<input checked="" type="checkbox"/>	<b>UCCJEA</b>				
<input type="checkbox"/>	<b>Citation</b>				
<input type="checkbox"/>	<b>FTB Notice</b>				
				<b>Reviewed by:</b> JF	
				<b>Reviewed on:</b> 10/17/14	
				<b>Updates:</b>	
				<b>Recommendation:</b>	
				<b>File 21 – Perez</b>	

Age: 1		<b>GENERAL HEARING: 12/11/14</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		JOHN W. PEEBLES, III and		1. Need <i>Duties of Guardian</i> (Form GC-248).	
		MICHELLE PEEBLES, maternal		2. Need <i>Notice of Hearing</i> .	
		grandparents, are petitioners.		3. Need proof of persona service at least 5	
				court days before the hearing of <i>Notice of</i>	
				<i>Hearing or Consent &amp; Waiver of Notice or</i>	
Cont. from		Father: SEAN GESSNER		Declaration of Due Diligence for:	
	Aff.Sub.Wit.			a. Sean Gessner (father)	
✓	Verified		Mother: BRITTENY PEEBLES –	b. Britteny Peebles (mother) – <i>Unless</i>	
	Inventory		Declaration of Due Diligence filed	<i>diligence is found. Declaration of Due</i>	
	PTC		10/08/14	<i>Diligence filed 10/08/14 states that</i>	
	Not.Cred.		Paternal grandparents: NOT	<i>there was no answer at the home</i>	
	Notice of Hrg	X	LISTED	<i>where the mother was living or the</i>	
	Aff.Mail		Petitioners allege that the mother	<i>occupant would not talk to the them.</i>	
	Aff.Pub.		left the minor in their care on	4. Petitioner indicates the child has Indian	
	Sp.Ntc.		09/04/14 and has not called or	ancestry. Therefore, need <b><u>Notice of Child</u></b>	
	Pers.Serv.	X	visited since. She is choosing to	<b><u>Custody Proceeding for Indian Child</u></b> (Form	
✓	Conf. Screen		live with her boyfriend who uses	ICWA-030) to be completed and returned	
✓	Letters		drugs and is abusive. Petitioners	to the Probate Clerk's Office <b><u>as soon as</u></b>	
	Duties/Supp	X	state that the minor's health care	<b><u>possible</u></b> . See Probate Code §1460.2, and	
	Objections		has been neglected and	CA Rules of Court 7.1015. The general	
	Video Receipt		temporary guardianship is	guardianship hearing on 12/11/14 <b><u>cannot</u></b>	
	CI Report		needed in order to take him for	<b><u>go forward</u></b> unless this form has been served	
	9202		his 1 year check-up and to get	on the child's parent; any Indian custodian;	
✓	Order		immunizations.	any Indian tribe that may have a	
	Aff. Posting			connection to the child; the Bureau of	
	Status Rpt			Indian Affairs (BIA), and possibly the U.S.	
✓	UCCJEA			Secretary of the Interior, by certified or	
	Citation			registered U.S. Mail, return receipt	
	FTB Notice			requested. A blank copy of the form is in	
				the file for Petitioner, and it should be	
				completed and returned <b><u>as soon as</u></b>	
				<b><u>possible</u></b> to the Probate Clerk's Office. The	
				Probate Clerk's Office will complete	
				service. At the general hearing on 12/11/14,	
				continuance may be required to ensure	
				that the appropriate parties and agencies	
				received 60 days' notice. See Probate	
				Code 1460.2, and CA Rules of Court 7.1015.	
				5. The Petitioners indicate that they are	
				moving to Portland, OR on or before	
				11/17/14. Therefore, Petitioners will need to	
				seek guardianship in Oregon pursuant to	
				Probate Code § 2352(d).	
				Reviewed by: JF	
				Reviewed on: 10/17/14	
				Updates:	
				Recommendation:	
				File 22 – Peebles-Gessner	